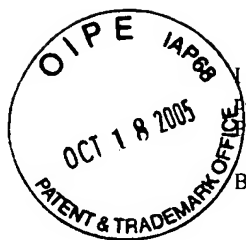


CERTIFICATE OF MAILING



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail and is addressed to Mail Stop PCT, Missing Requirements, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Debra K. Bowen

Debra K. Bowen

Date: Oct. 14, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Graupe, et al.

Application No.: 10/536,889

I.A. Application No.: PCT/US03/37979

Group Art Unit: Unassigned

I.A. Filing Date: November 26, 2003

Examiner: Unassigned

For: CYANOMETHYL DERIVATIVES AS CYSTEINE PROTEASE INHIBITORS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO/SB/08A) in accordance with Rules 1.97 and 1.98, and 37 CFR §1.56.

This Information Disclosure Statement:

(a) ☐ accompanies a new patent application submitted herewith.(b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.(c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.(d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.(e) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final

under §1.113, a notice of allowance under §1.111, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on PTO-1449 is supplied herewith:

☐ each ☐ none ☒ only those listed below:

WO99/24460 A2
WO00/49008 A1
WO00/51998 A1
WO00/55126 A2
WO01/19816 A1
WO01/58886 A1

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

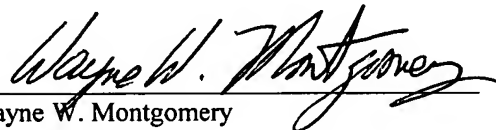
It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08A, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0970.

Respectfully submitted,

Date

9/30/05


Wayne W. Montgomery
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Substitute for form 1449A-10

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/536,889
I.A. Application Number	PCT/US03/37979
I.A. Filing Date	November 26, 2003
First Named Inventor	Graupe, Michael
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket No.	CL001396 PCT/US

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ² Number ³ Kind Code ² (if known)				
	1*	WO99/24460 A2	05-20-1999	Novartis-Erfindungen Verwaltungsgesellschaft MBH		
	2*	WO00/49008 A1	08-24-2000	Astrazeneca AB		
	3*	WO00/51998 A1	09-08-2000	Boehringer Ingelheim Pharmaceuticals, Inc.		
	4*	WO00/55126 A2	09-21-2000	Axys Pharmaceuticals, Inc.		
	5*	WO01/19816 A1	03-22-2001	Boehringer Ingelheim Pharmaceuticals, Inc.		
	6*	WO01/58886 A1	08-16-2001	Novartis AG		
		*Cited in ISR (Copy Attached)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A-10 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/536,889
				I.A. Application Number	PCT/US03/37979
				I.A.Filing Date	November 26, 2003
				First Named Inventor	Graupe, Michael
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	1	Attorney Docket No.	CL001396 PCT/US

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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